S.B.Cr.Misc. Bail App. No. 4691/2007

(Bhagirath Vs. State of Rajasthan)

Date of order : 19/09/2007

HON'BLE MR.H.R.PANWAR, J.

Mr. S.R.Sharma for the petitioner.

Mr. Ashok Upadhyay, Public Prosecutor.

Heard learned counsel for the petitioner and the Public Prosecutor for the State. Perused the order impugned and challan papers as also statement of prosecutrix and medical evidence.

As per the medical evidence, the age of the prosecutrix is 17 to 19 years and is habitual to sexual intercourse.

Without commenting on the merit of the case, looking to the facts and circumstances of the case and having considered the oral arguments advanced by both the parties, I think it just and proper to enlarge the accused petitioner on bail.

Accordingly, this bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that petitioner Bhagirath S/o Nenu Ram be released on bail in FIR No. 60/2007 P.S. Napasar, district Bikaner provided he executes a personal bond for a sum of Rs. 20,000/- with two sound and solvent sureties in the sum of Rs. 10,000/- each to the satisfaction of learned trial court for his appearance before that court

on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(H.R.PANWAR), J.

RP